

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAVINO DEL BENE U.S.A., INC.,

Plaintiff,

-v.-

SAMSARA SURFACES LLC, SUNDERLANDS, *a*
Samsara Entity, MINERACAO MARIANELLI LTDA,
MG2 MARMORES E GRANITOS, GRAMAZINI
GRANITOS E MARMORES THOMAZINI LTDA,
GRANITOS S/A, NISSI ROCHAS COM. E REP.
LTDA, GRANIBRAS ES GRANITOS E MARMORES
LTDS, and BADAN BUILDING MATERIALS
CORPORATION,

Defendants.

23 Civ. 648 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

Plaintiff filed the Complaint in this action on January 26, 2023. (Dkt. #1). On February 9, 2023, the Court issued a Notice of Initial Pretrial Conference, scheduling a conference for April 13, 2023, at 4:30 p.m. and requiring the parties to submit a joint letter on or before April 6, 2023. (Dkt. #8). Defendants' deadline to respond to the Complaint was April 4, 2023. (Dkt. # 13-14). To date, Defendants have neither filed responses to the Complaint nor entered notices of appearance in this action.

On April 5, 2023, the Court emailed Plaintiff's counsel reminding him of the upcoming initial pretrial conference, asking if he had been in communication with Defendants, and reminding him that he was to file a letter on or before April 6, 2023. Receiving nothing in response, the Court followed

up on April 10, 2023, and April 11, 2023. Plaintiff has yet to respond or file a letter on the docket.

Accordingly, the initial pretrial conference currently scheduled for April 13, 2023, is hereby ADJOURNED *sine die*, and Plaintiff is directed to either move for a default judgment against Defendants or file a letter on the docket regarding the status of this litigation on or before **April 24, 2023**.

If Plaintiff fails to do either, the Court is likely to dismiss the case for failure to prosecute and for failure to comply with Court orders.

SO ORDERED.

Dated: April 11, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge